



USSN: 09/657,289  
Atty. Dkt. No.: 9400-0006  
Client Dkt. No.: PXE-0006US

**PATENT****CERTIFICATE OF MAILING PURSUANT TO 37 CFR § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on *Jan 28, 2004*

*1/28/04* *Michelle Hobson*  
Date Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

FRANCIS et al.

Serial No.: 09/657,289

Filing Date: September 7, 2000

Title: LUCIFERASE EXPRESSION CASSETTES  
AND METHODS OF USE

Examiner: E. Slobodyansky

Group Art Unit: 1652

Confirmation No.: 1639

Customer No.: 20855

**POWER OF ATTORNEY BY ASSIGNEE**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

XENOGEN CORPORATION, assignee of the above-identified application by assignment (copy attached), hereby appoints Roberta L. Robins, Reg. No. 33,208 and Dahna S. Pasternak, Reg. No. 41,411 as its attorneys/agents with full power of substitution to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith.

Please address all further communications to Dahna S. Pasternak at the following address:

Customer No. 20855  
ROBINS & PASTERNAK LLP  
1731 Embarcadero Road, Suite 230  
Palo Alto, CA 94303

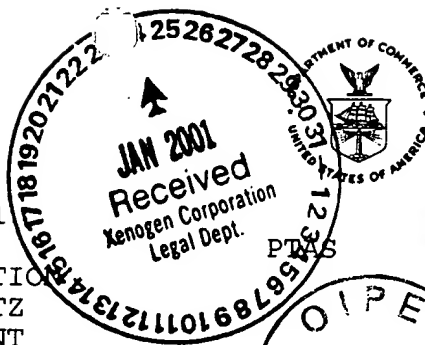
Date: *1/27/04*

*[Signature]*  
XENOGEN CORPORATION.

Name: *DAVID E BOYKO, ESQ.*Title: *VICE-PRESIDENT, LICENSING  
& LEGAL SERVICES*

JANUARY 16, 2001

XENOGEN CORPORATION  
CHARLES K. SHOLTZ  
PATENT DEPARTMENT  
860 ATLANTIC AVENUE  
ALAMEDA, CA 94501



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231



\*101517451A\*

**DOCKETED**

**UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/27/2000

REEL/FRAME: 011230/0796  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

**ASSIGNOR:**

FRANCIS, KEVIN P.

DOC DATE: 10/09/2000

**ASSIGNOR:**

CONTAG, PAMELA R.

DOC DATE: 10/09/2000

**ASSIGNOR:**

JOH, DANNY J.

DOC DATE: 10/09/2000

**ASSIGNEE:**

XENOGEN CORPORATION  
860 ATLANTIC AVENUE  
ALAMEDA, CALIFORNIA 94501

SERIAL NUMBER: 09657289  
PATENT NUMBER:

FILING DATE: 09/07/2000  
ISSUE DATE:

# **ASSIGNMENT** **Inventor**

*WHEREAS*, Kevin P. Francis, Pamela Reilly Contag and Danny J. Joh, hereinafter referred to as **ASSIGNORS**, has invented certain new and useful improvements as described and set forth in the below-identified application for United States Letters Patent:

**Title of Invention:**        **LUCIFERASE EXPRESSION CASSETTES AND METHODS OF USE**  
**Serial No:**        09/657,289        **Filing Date:** September 7, 2000

*WHEREAS*, XENOGEN CORPORATION, located at 860 Atlantic Avenue, Alameda, California 94501, hereinafter referred to as **ASSIGNEE**, is desirous of acquiring the entire right, title and interest in the said invention and application and in any Letters Patent which may be granted on the same;

*NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:* Be it known that, for and in consideration of the sum of One Dollar (\$1.00) lawful money paid to **ASSIGNORS** by **ASSIGNEE**, receipt of which is hereby acknowledged, **ASSIGNORS** has sold, assigned and transferred, and by these presents do sell, assign and transfer unto said **ASSIGNEE**, and **ASSIGNEE'S** successors and assigns, all right, title and interest in and to the said invention, said application for United States Letters Patent, and any Letters Patent which may hereafter be granted on the same in the United States and all countries throughout the world including any divisions, renewals, continuations in whole or in part, substitutions, conversions (including conversions claiming priority under 35 U.S.C. §119(e)), reissues, prolongations or extensions thereof, the said interest to be held and enjoyed by said **ASSIGNEE** as fully and exclusively as it would have been held and enjoyed by said **ASSIGNORS** had this assignment and transfer not been made, to the full end and term of any Letters Patent.

**ASSIGNORS** further agrees that he will, without charge to said **ASSIGNEE**, but at **ASSIGNEE'S** expense, cooperate with **ASSIGNEE** in the prosecution of said application and/or applications, execute, verify, acknowledge and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof, and will perform such other acts as **ASSIGNEE** lawfully may request, to obtain or maintain Letters Patent for said invention and improvement in any and all countries, and to vest title thereto in said **ASSIGNEE**, or **ASSIGNEE'S** successors and assigns.

*IN TESTIMONY WHEREOF*, **ASSIGNORS** has hereunto signed his name to this assignment on the dates indicated below.

DATE 10/9/00

Kevin P. Francis  
 Kevin P. Francis

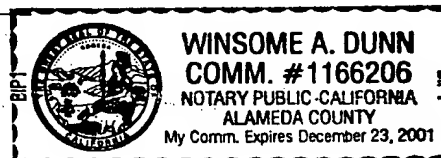
DATE 10/9/00

Pamela Reilly Contag  
 Pamela Reilly Contag

DATE 10.9.00

Danny J. Joh  
 Danny J. Joh

State of California        )  
    ) ss.  
 County of Alameda        )



On October 9, 2000, before me, Winsome A. Dunn, Notary Public for the State of California, personally appeared **Kevin P. Francis, Pamela Reilly Contag and Danny J. Joh** personally known to me to be the persons whose names are subscribed to the within instrument and acknowledge to that they executed the same in their authorized capacities and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument

WITNESS my hand and official seal

Winsome A. Dunn  
 Notary Public